

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MATTEL, INC.,

Plaintiff,

vs.

THE ENTITIES DOING BUSINESS  
AS GOODMENOW AT THE URL  
GOODMENOW.COM, ET AL.,

Defendants.

Civil Action No.: 1:20-cv-11075-NRB

**DECLARATION OF JACOB CHEN**

I, Jacob Chen, do hereby depose and state:

1. My name is Jacob Chen, and I am over the age of eighteen. I am an attorney duly licensed to practice in the Southern District of New York, and I am counsel of record for Defendants in this action.
2. Attached as Exhibit 1 is true and correct copy of an email chain between counsel for PayPal, counsel for Defendants, and counsel for Plaintiff, starting on January 15, 2021, with the most recent email dated January 22, 2021. In an email dated January 22, 2021, counsel for PayPal, Clete Samson, wrote: “Based on a review of PayPal’s records, I can confirm that the 11 accounts are registered in Hong Kong and, therefore, your client would have been presented with the Hong Kong User Agreement at sign-up. Attached is the most recent version of the Hong Kong UA.”
3. Attached as Exhibit 2 is a true and correct copy of the Hong Kong User Agreement provided by counsel for PayPal. The User Agreement states: “This user agreement is a contract between you and PayPal Hong Kong Limited, a company registered under the laws of Hong

Kong SAR China, and governing your use of your PayPal account and the PayPal services . . .

If you are a business, the business must be organised and operating in Hong Kong SAR China, to open a PayPal account and use the PayPal services.” *See* Exhibit 2, p. 1.

4. I declare that the foregoing is true and correct under penalty of perjury.

Dated: this 22nd day of January, 2021.  
New York, New York

/s/ Jacob Chen

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JACOB CHEN